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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,222	09/14/2000	Rogelio Sosa	NETS:0004	2445
26122 7590 07/05/2007 LAW OFFICES OF GARY R. STANFORD 330 W OVERLOOK MOUNTAIN RD BUDA, TX 78610			EXAMINER COLBERT, ELLA	
			ART UNIT	PAPER NUMBER
			3694	
			MAIL DATE	DELIVERY MODE
			07/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/662,222	SOSA ET AL.	
	Examiner	Art Unit	
	Ella Colbert	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13, 15-29, 31, 32, 34-42 and 44-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15-29, 31, 32, 34-42, and 44-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5, 7-13, 15-29, 31, 32, 34-42, and 44-48 are pending. Claims 1, 7, 8, and 26 have been amended in this communication filed 4/18/07 entered as Response After Non-Final Action.
2. The claim objections for claims 7, 8, and 42 in the prior communication of October 12, 2006 have been overcome and are hereby withdrawn. However, there are remaining claim objections as set forth here below.
3. The 35 USC 112 first paragraph rejection of claims 1, 26, and 42 is hereby withdrawn in view of the convincing arguments.

Claim Objections

4. Claims 1-3, 13, 23, 24, 26, 38-40, 42, and 46 are objected to because of the following informalities: claim 1 recites "detecting a request by a user ... for a valid charge numbers;". This claim limitation would be better recited as "detecting a request by a user ... for one of a plurality of valid charge numbers;". Claim 2, recites "... wherein the providing the ...". This claim limitation is redundant with the usage of "the". Claim 3 has a similar problem. Claim 13, recites "pre-certifying, ..., a valid charge number issuer as processor for". This line would be better recited as "pre-certifying, ..., a valid charge number issuer as the processor for". Claim 23 recites "the detecting a request comprises ...". This line would be better recited as "the detecting of a request comprises ...". Claim 24 recites "email" and claim 23 recites "electronic mail". This is inconsistent in the claim limitations because some of the claim limitations recite "electronic mail" and other claim limitations recite "email" or "e-mail". Claims 38-40 and

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46 have a similar problem. Claim 26 recites “for issuing and authorizing valid charge numbers via a electronic communications”. This line should recite “for issuing and authorizing valid charge numbers via an electronic communications”. Also claim 26 should have a comma after “user” and before “wherein” and after “request” and before “wherein” to replace the semi-colon (;). Claim 42 has a similar problem with the semi-colon and the “a” after “via and before “electronic communications network”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 23, 26, 31, 36, 38, 42, 44, and 45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “storing the plurality of valid charge numbers;”. It is unclear and vague what the valid charge numbers are stored in or where they are stored.

Claim 1 also recites “provided to and routed by ...”. It is unclear and vague what is being “provided to” or who the valid charge numbers are being provided to”. Do Applicants’ mean “a device” or “a user” or “a human being”?

Claims 26 and 42 have a similar problem.

Claim 23 recites “establishing an electronic mail account that enables communication ...”. The usage of the term “enables” is not a positive recitation in the claim language. A positive claim recitation would be “establishing an electronic mail

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account that includes communication ...". Claims 26, 31, 38, 42, and 45 have a similar problem.

Claim 36 recites "the storage device storing ... charge number database;". This claim limitation is unclear and vague. Do Applicants' mean "the storage device storing ... charge number in a database" or "the storage device storing ... charge number in an expired charge number database"?

Claim 44 has a similar problem.

Claim 1 recites the limitation "a user" in line 7 and again in line 8. The second "a user" should be changed to "the user". There is insufficient antecedent basis for this limitation in the claim.

Claims 2-5, 7-25, 27-29, 31, 32, 34-41, and 44-48 are also rejected because of their dependency from a rejected base claim.

Conclusion

6. Once the objections and 35 USC 112 second paragraph rejections have been overcome and if after an updated search there has not been any new art found to reject the claims the application will be passed to issue.

Inquiries


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Wednesday, and Thursday, 5:30AM-3:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 25, 2007


ELLA COLBERT
PRIMARY EXAMINER